

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 37 and 48 have been objected to as containing informalities and Claims 35-50 have been rejected under 35 U.S.C. § 102 as being anticipated by Hill. Claims 35-50 remain active.

Considering first then the Examiner's objection to Claims 37 and 48 as containing informalities, it is to be noted that such claims have now been amended as requested by the Examiner.

Considering next then the rejection of Claims 35-50 under 35 U.S.C. § 102(b) as being anticipated by Hill, Applicants respectfully traverse the Examiner's interpretation of the teachings and disclosures of Hill as it relates to Claim 35. More particularly, the Examiner has indicated that Hill discloses a support (pad 32 and tube 18 and connection element 36); at least one conditioning element (U-shaped element 14) comprising at least one active part (blade 26), a first connecting part (mounting surface 28), and a second connecting part (fastener 36) configured to / capable of maintain(ing) connection of the at least one conditioning element to the support should the first connection break.

By comparison, it is noted that Claim 35 of the present invention claims:

A forage treatment device for treating forage comprising:

a rotor driven in rotation about an axis, the rotor including a support and at least one conditioning element, the at least one conditioning element comprising:

at least one active part configured to work the forage;

a first connecting part configured to connect the at least one conditioning element to the support by a first connection; and

a second connecting part configured to maintain connection of the at least one conditioning element to the support should the first connection break.

In comparison with the above-noted language of Claim 35, a review of Hill clearly serves to indicate that first connecting part (mounting surface 28) of Hill is not configured to connect the conditioning element 14 to tube 18. Instead, such is disclosed in Hill as merely being a surface of a crop conditioning blade 26 which is connected to a threaded fastener 36 and which has a shock absorber 34 positioned between the surface 28 and the tube 18. Thus, mounting surface 28 alone does not serve as a connecting part but instead requires the structure of the second connecting part (fasteners 36) referred to by the Examiner. Thus, upon breaking of mounting surface 28, the second connecting part (fastener 36) is not “configured to / capable of maintain(ing) connection of the at least one conditioning element to the support should the first connection (i.e. mounting surface 28) break” as stated by the Examiner. To the contrary, a review of the present application serves to clearly indicate that the first connecting part 27, 127 is configured to connect the at least one conditioning element to the support by a first connection 28 and a second connecting part 29, 129 is configured to maintain connection of the at least one conditioning element 23 to the support 24 should the first connection 28 break.

Applicant further notes that the Hill patent deals with a conditioning rotor that comprises, among other structural elements, a tube 18 with conditioning elements in a V-shaped form. These elements comprise a central part with a surface 28 for their attachment to the tube 18 by means of two bolts 36. This mode of securing comprises therefore the use of two bolts. However, the conditioning elements only include one attachment part. In other words, the central part representing the surface 28. In the event this central part brakes, the corresponding conditioning element can detach from the tube 18. In the modes of execution in accordance with the present application, however, the conditioning elements 23, 123

include at least one active part 26, 126 and two parts 27, 127 and 29, 129 to link the conditioning elements to the support 24, 124. As can thus be appreciated, only one part 27, 127 is used to ensure the link with the support. The second part 29, 129 is only used for the link when there is a rupture or break at the first linking part 26, 126. It is therefore submitted that favorable reconsideration of the objection of Claim 35 as being anticipated by Hill is in order and the same is hereby respectfully requested.

Each of Claims 36-50 contain additional limitations which, it is submitted, have no corresponding teaching or disclosure in Hill or any of the remaining references of record. In view of the limitations set forth in such claims and based upon the foregoing arguments in support of the patentability of Claim 35, it is submitted that each of Claims 36-50 merit indication of allowability.

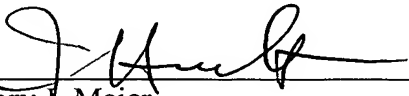
Applicants further note that with regard to Claim 47, such claims the forage treatment device according to Claim 35 wherein the first connection 28 comprises an articulation of a pivot type. In this regard, it is respectfully submitted that the first connection 28 (mounting surface 28) of Hill is not disclosed as comprising an articulation of a pivot type. It is therefore submitted that Claim 47 also clearly merits indication of allowability.

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The Examiner is invited to call Applicants attorney to discuss this matter if such would be helpful in reaching mutual agreement as to allowable claim language in the present application. In view of the foregoing, an early and favorable Office Action is believed to be in order and the same is hereby respectfully requested.

Respectfully submitted,

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